



Gina M. Raimondo

Governor – State of Rhode Island

Workforce Innovation and Opportunity Act (WIOA)

Policy Manual - State

Updated as of 09/01/2020



POLICY	WIN #	LOCAL BOARD ACTION REQ'D?	PAGE #
1) Administration and Governance			
Local Workforce Development Area Designation	01-01		3
Governance and Duties of Local Workforce Development Boards	01-02		8
Establishment and Membership of Local Workforce Development Boards	01-03		12
Regional Planning Policy	01-04		16
Records Retention	01-05	✓	18
2) The One-Stop (America's Job Center) Delivery System – netWorkRI			
Establishment of the One Stop Delivery System	02-01	✓	20
Competitive Procurement of One Stop Operator	02-02	✓	22
Local One Stop Partner MOU	02-03	✓	25
State Mechanism for One Stop Infrastructure Funding	02-04	✓	27
One Stop Certification Standards	02-05	✓	30

WORKFORCE INNOVATION NOTICE: 01-01

TO: WORKFORCE DEVELOPMENT AREAS

FROM: Governor's Workforce Board

SUBJECT: Local Workforce Development Area Designation

DATE: Effective: June 5, 2018,
Reauthorized: September 1, 2020

STATUS: Active



LOCAL POLICY REQUIREMENT: N/A

- 1. PURPOSE:** The purpose of this policy is to outline the process for new and subsequent area designation for local workforce development boards (LWDBs) under the Workforce Innovation and Opportunity Act (WIOA).
- 2. REFERENCES:** Workforce Innovation and Opportunity Act (Pub. L. 113-128, Section 106, 107 and 116); Training and Employment Guidance Letter (TEGL No. 19-14) ; Training and Employment Guidance Letter (TEGL) No. 27-14 ; Training and Employment Guidance Letter (TEGL) No. 10-16 ; 20 CFR 679.230-679.260 ; 20 CFR 683.630(a) ; 20 CFR 683.640 ; 20 CFR 677.205-677.210
- 3. BACKGROUND:** Under the Workforce Innovation and Opportunity Act, the Governor must designate local workforce development areas after consultation with (1) the State Workforce Board and (2) chief local elected officials (CEOs) and (3) local workforce development boards. WIOA also requires CEOs to utilize a public comment period and take into consideration comments made during the process as part of their consultative process with the Governor.

WIOA outlines the term "Initial Designation" of local workforce development areas in WIOA section 106(b)(2). WIOA section 106(b)(2) states, "During the first 2 full program years following the date of enactment of this Act, the Governor shall approve a request for initial designation as a local area from any area that was designated as a local area for purposes of the Workforce Investment Act of 1998 for the 2-year period preceding the date of enactment of this Act, performed successfully, and sustained fiscal integrity."

WIOA outlines the term "Subsequent Designation" of local workforce development areas in WIOA section 106(b)(3). WIOA section 106(b)(3) states, "After the period for which a local area is initially designated under paragraph (2), the Governor shall approve a request for subsequent designation as a local area from such local area, if such area:

- a. performed successfully;
- b. sustained fiscal integrity; and
- c. in the case of a local area in a planning region, met the requirements described in subsection (c)(1) [note: Pursuant to WIN [17-01](#), the state plan serves as a regional plan and the regional planning requirement does not apply to local areas].

This policy provides the steps for consideration of workforce development areas under WIOA.

4. INQUIRIES: Questions concerning this issuance may be directed by phone or by email at:

Rhode Island Department of Labor and Training
Governor's Workforce Board RI
1511 Pontiac Avenue, Building 72-3
Cranston, Rhode Island 02920
(401) 462-8860 Phone (401) 462-8865 Fax
www.dlt.ri.gov | www.gwb.ri.gov

5. POLICY: Consistent with WIOA section 106(b)(4), the Governor's Workforce Board, in consultation with Local Boards and chief local elected officials, reviews all requests for local workforce development area designation using the procedures outlined in this policy, and makes a recommendation to the Governor. In reviewing new designation requests, the State Board shall evaluate the extent that requested areas meet the following:

- a. Are consistent with labor market areas in the state;
- b. Are consistent with regional economic development areas in the state; and
- c. Have available the federal and non-federal resources necessary to effectively administer activities under provisions of WIOA, including whether the areas have the appropriate education and training providers, such as institutions of higher education and career and technical education schools.

WIOA section 106(b)(2) outlines the criteria by which a Governor must designate a local workforce development area under Initial Designation. WIOA section 106(b)(3) outlines the criteria by which a Governor must designate a local workforce development area under Subsequent Designation. Even under an application for Initial Designation, the CEOs shall utilize a public consultation process and outline how the local workforce development area follows the three criteria outlined above.

6. PROCEDURES: The procedures for designating local workforce development areas are outlined below:

Initial Designation: For the first two full program year following the date of enactment of WIOA and clarified through the WIOA Final Rule to mean Program Years 2016 and 2017 (July 1, 2016-June 30, 2018), any area that was designated as a local area for the purposes of the Workforce Investment Act of 1998 for the 2-year period preceding the date of enactment of WIOA received initial designation provided they performed successfully, and sustained fiscal integrity.

Subsequent Designation: Per federal regulation - after the period of Initial Designation, the Governor shall approve a request for Subsequent Designation as a local workforce development area from such local area, if such area:

- a. performed successfully;
- b. sustained fiscal integrity; and
- c. in the case of a local area in a planning region, met the requirements of planning regions outlined in WIOA [note: Pursuant to WIN [17-01](#); the state plan serves as a regional plan and the regional planning requirement does not apply to local areas]

Per section 106 (b)(3) of WIOA and 20 CFR 679.250, local areas are considered to have requested continued or subsequent designation unless the local area and chief elected official notifies the State indicating that they no longer seek designation. Therefore it is not necessary for existing local areas to submit requests for designation.

The State will review the criteria for subsequent designation for local areas considered to requested such designation. Under section 106 (b)(3) of WIOA, the State shall approve subsequent designation of a local workforce development area which met the criteria for subsequent designation.

The State will notify the chief elected official(s) within 30 calendar days after the review indicating approval or denial of subsequent designation of the local workforce development area

New Designation: The process outlined below is to be followed by a unit or units of local government seeking new designation of local workforce development areas under the WIOA:

Step 1. The local government unit(s) seeking designation of a local workforce development area(s) should coordinate and consult with the chief local elected officials of the local areas and existing local workforce investment boards.

Step 2. If a decision is made by the local government unit(s), in coordination with the chief local elected officials, to seek designation under the WIOA, the local government units must undertake a formal public comment period and provide documentation of the results of the formal public comment period with the designation request to partners, including existing local workforce investment boards. The formal comment period must allow for comments by businesses, labor organizations, institutions of higher education, community based organizations, and the public at-large.

Step 3. The request for designation of a local workforce development area under the WIOA shall include the following information:

- a. How the proposed local workforce development area is aligned with labor market areas including information on growth industries and occupations in the local labor market.
- b. How the proposed local workforce development area is aligned with a regional economic development area within the state of Rhode Island.
- c. How the proposed local workforce development area can effectively administer activities under provisions of the WIOA with available federal and non-federal resources, including a description of area education and training providers, a description of how the available resources will be made available for training activities, and a description of the percentage of overall resources administered by the local area that will be dedicated to training activities.

Step 4. After submission of the designation request, the Governor's Workforce Board will review the request and provide a recommendation for the Governor. As required by the WIOA, the Governor will use the consultation of the Board and consult with chief local elected officials prior to designating local workforce development areas in the state. The Governor may rely on the submissions from the requestor(s) as meeting the requirement for consultation with chief local elected officials, including the public records of meetings and any recorded votes or resolutions regarding the designation request.

Step 5. Pursuant to WIOA section 106(b), the Governor may designate local workforce development areas in Rhode Island for two-year periods, as appropriate.

- 7. PERFORMED SUCCESSFULLY:** For the purpose of determining subsequent local workforce development area designation, the term “performed successfully” means the local workforce development area met or exceeded the adjusted levels of performance for primary indicators of performance for the last two consecutive years for which data are available, and that the local area has not failed the same measure for the last two consecutive program years.
- 8. SUSTAINED FISCAL INTEGRITY:** Sustained Fiscal Integrity for all program years means the Secretary of the United States Department of Labor has not made a formal determination that either the grant recipient or the administrative entity of the area misexpended funds due to willful disregard of the requirements of the provision involved, gross negligence or failure to comply with accepted standards of administration for the two-year period preceding the determination.
- 9. APPEAL:** Pursuant to section 106 (b)(5) of WIOA and 20 CFR 683.630, if the State denies designation of a local area, the chief elected official(s) may appeal the decision through the following appeals process:
 - a. Within 14 days from the date of receipt of the notice of denial, the chief elected official(s) may file an appeal to the GWB by submitting in writing all of the following information:
 - i. a statement that the chief elected official(s) is appealing the denial of designation;
 - ii. the reason(s) why the local area should be designated;
 - iii. signature of the chief elected official(s).
 - b. The written appeal shall be submitted by e-mail to: DLT.GWBINFO@DLT.RI.GOV.
 - c. Pursuant to 20 CFR 679.290 (b) and 20 CFR 683.630 (a), the State Board will provide the parties with the opportunity for a hearing, review the appeal, and make a ruling on the appeal within 60 days after the submission of the appeal.

The State Board shall notify the chief elected official(s) in writing, of its decision on whether or not to approve subsequent designation of an area as a local area under section 106(b)(3) of WIOA and 20 C.F.R. 679.250.

In the event the State Board denies the appeal or fails to issue a decision within 60 days of the date the appeal is submitted, the chief elected official(s) may further appeal the State Board's decision or lack thereof to the U.S. Department of Labor (USDOL). Pursuant to 20 CFR 683.640, appeals made to USDOL, must be filed no later than 30 days after receipt of written notification of the denial from the State. The appeal must be submitted by certified mail, with return receipt requested, to the following address:

Secretary, U.S. Department of Labor
200 Constitution Ave. N.W.
Washington, D.C. 20210
Attention: ASET

The appellant must establish in its appeal to USDOL that the appellant was not accorded procedural rights under this appeal process, or that it meets the requirements for designation.

The appellant must provide a copy of the appeal to the State Board at the same time that the appellant sends the appeal to USDOL.

WORKFORCE INNOVATION NOTICE: 01-02

TO: WORKFORCE DEVELOPMENT AREAS

FROM: Governor's Workforce Board

SUBJECT: Governance and Duties of Local Workforce Development Boards

DATE: Effective: September 1, 2020

STATUS: Active

LOCAL POLICY REQUIREMENT: N/A



- 1. PURPOSE:** This policy provides guidance regarding the duties of Local Workforce Development Boards under the Workforce Innovation and Opportunity Act (WIOA).
- 2. REFERENCES:** Workforce Innovation and Opportunity Act (Pub. L. 113-128); Training and Employment Notice No. 05-14, Workforce Innovation and Opportunity Act Announcement and Initial Informational Resources; Training and Guidance Letter No. 19-14, Vision for the Workforce System and Initial Implementation of the Workforce Innovation and Opportunity Act of 2014
- 3. BACKGROUND:** Each local workforce development area designated in the State shall establish and maintain a Local Workforce Development Board (Local Board). Chief Elected Officials (CEOs) appoint the Local Board, which is certified every two years by the Governor.

The Local Board is part of a statewide workforce system which is demand-driven, customer-centric, streamlined, and outcome-oriented. The Local Board shall carry out strategies and policies that support both the economic development mission(s) for the local area and the State of Rhode Island. The Local Board sets policy for the local area, in compliance with broader state policy, and is a strategic convener, in addressing workforce development issues, including but not limited to WIOA activities. The Local Board shall be led by committed business leaders who can ensure that the local workforce system is responsive to current and projected labor market demand, shall contain a broad range of partners needed to develop a comprehensive vision for the local workforce system, and shall focus on strategic decisions.

4. Roles of the Local Board: Local Boards shall carry out their responsibilities in partnership with chief local elected officials, in consultation with regional workforce partners. A Chief Local Elected Official Agreement outlining responsibilities is required where a local area includes more than one unit of local government. The term “chief local elected official” means the chief elected executive officer of a unit of general local government in a local area or an elected official so designated by the chief local elected official. This agreement must specify which entity will serve as the fiscal and administrative agent, as well as the roles of the individual chief elected officials in regard to Local Board nominations and appointments and carrying out all other responsibilities assigned to the chief local elected officials under WIOA. Chief Local Elected Officials are encouraged to meet at least annually to review program performance for the grant as well as the performance of the fiscal and administrative agent as designated. The joint roles include, but are not limited to the following:

- Development of a vision and goals for the local workforce development system that are aligned with both the economic development mission(s) for the local area and the state
- Development of the 4-year local strategic plan to include a workforce demand plan and a plan for business engagement
- Selection of one-stop operator(s) and locations
- Selection of training providers, when appropriate
- Approval of the local one-stop operation(s) budget
- Program oversight
- Negotiations with the Governor to reach agreement on local performance accountability measures
- Any other activities as required by the Workforce Innovation and Opportunity Act, Section 107(d), by state statute, or by the Governor

6. Responsibilities of the Local Board: The responsibilities and functions of the Local Board include the following:

- The Local Board shall enter into an agreement with the chief local elected officials clearly detailing the partnership between the two entities for the governance and oversight of activities under the WIOA.
- The Local Board shall develop a budget for the purpose of carrying out the duties of the Local Board. The chief local elected officials must approve the budget.
- The Local Board shall meet and review presented financial reports that reflect actual expenditures and their relationship to the approved budget as well as workforce program outcomes and their relationship to negotiated performance levels.
- The Local Board may solicit and accept grants and donations from sources other than federal funds made available under Title I of WIOA, if it has organized itself in a manner to do so.
- The Local Board, in partnership with chief local elected officials, shall develop the vision, goals, objectives, and policies for the local workforce development area. The vision shall be aligned with both the economic development mission(s) for the local area and the state.
- The Local Board, in partnership with the chief local elected officials, shall develop and submit to the Governor, a local strategic plan that meets the requirements in Section 108 of the Workforce Innovation and Opportunity Act.

- The Local Board, with the agreement of the chief local elected officials, shall select one-stop operator(s) through a competitive process and may terminate for cause the eligibility of one-stop operators.
- The Local Board shall select eligible providers of youth activities by awarding grants or contracts on a competitive basis.
- The Local Board shall identify eligible providers of training services for adults and dislocated workers.
- The Local Board, in partnership with the chief local elected officials, shall conduct oversight of local programs of youth, adult, and dislocated worker activities authorized under Title I of the WIOA.
- The Local Board, in partnership with the chief local elected officials, shall negotiate and reach agreement with the State Workforce Development Board on behalf of the Governor on local performance accountability measures.
- The Local Board shall help the Governor develop a statewide employment statistics system.
- The Local Board shall coordinate the workforce activities authorized under WIOA with local economic development strategies, and develop employer linkages with those activities.
- The Local Board shall promote the participation of local private sector employers through the statewide workforce development system.
- The Local Board may employ staff and/or utilize other options for carrying out these responsibilities.
- The Local Board is responsible for any other activity as required by the Workforce Innovation and Opportunity Act, Section 107(d) or by the Governor

Restrictions

- The Local Board may not directly provide training services unless granted a waiver by the Governor due to an insufficient number of eligible providers of training services to meet the local area demand.
- The Local Board may not mandate curricula for schools.
- The Local Board may not be designated or certified as a one-stop operator unless an agreement is reached with the chief local elected officials and the Governor.

7. Local Board Meetings

Sunshine Provisions:

- The Local Board shall share information regarding its meetings and activities with the public subject to the provisions of the Rhode Island Open Meetings Act.
- The Local Board shall make available to the public, on a regular basis through open meetings, information regarding the activities of the Local Board, including information regarding the local plan prior to submission of the plan, membership, the designation and certification of one-stop operator(s) consistent with the State Plan, and the award of grants or contracts to eligible providers of youth activities, and minutes of formal meetings of the Local Board.

8. State Board to Act as Local Board

Notwithstanding the above; pursuant to waiver authority granted by the US Secretary of Labor in his letter dated September 30, 2019 and pending renewal through the waiver request submitted on June 29, 2020; the State Workforce Development Board shall act as the Local Workforce Development Board for the Greater Rhode Island region. Appointment of the State Workforce Development Board is addressed in [Chapter 42-102](#) of the Rhode Island General Laws. Consistent with the conditions of approval for the state waiver request, the State Board will ensure local stakeholder interests are represented and engaged by, among other actions, forming a subcommittee of the Governor's Workforce Board to reflect the geographic diversity of the Greater Rhode Island area.

9. Inquiries: Questions concerning this issuance may be directed by phone or by email at:

Governor's Workforce Board RI
Department of Labor and Training
1511 Pontiac Avenue, Building 72-3
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WORKFORCE INNOVATION NOTICE: 01-03

TO: WORKFORCE DEVELOPMENT AREAS

FROM: Governor's Workforce Board

SUBJECT: Establishment, Membership, and Certification of Local Workforce Development Boards

DATE: Effective: September 1, 2020

STATUS: Active



LOCAL POLICY REQUIREMENT: N/A

- 1. PURPOSE:** This policy provides guidance for the establishment, membership, and certification of Local Workforce Development Boards under the Workforce Innovation and Opportunity Act (WIOA).
- 2. REFERENCES:** Workforce Innovation and Opportunity Act (Pub. L. 113-128); Training and Employment Notice No. 05-14, Workforce Innovation and Opportunity Act Announcement and Initial Informational Resources; Training and Guidance Letter No. 19-14, Vision for the Workforce System and Initial Implementation of the Workforce Innovation and Opportunity Act of 2014; Notice of Proposed Rulemaking (NPRM) Docket No. ETA-2015-0001, RIN: 1205- AB73: Subpart C
- 3. REVISIONS:** This WIN 01-02 voids and replaces WIN 15-06, subject "Preliminary Policy on Criteria for Selection and Appointment of Local Area Workforce Development Boards"
- 4. BACKGROUND:** Each local workforce development area designated in the State shall establish and maintain a Local Workforce Development Board (Local Board). Chief Elected Officials (CEOs) appoint the Local Board, which is certified every two years by the Governor.

The Local Board is part of a statewide workforce system which is demand-driven, customer-centric, streamlined, and outcome-oriented. The Local Board shall carry out strategies and policies that support both the economic development mission(s) for the local area and the State of Rhode Island. The Local Board sets policy for the local area, in compliance with broader state policy, and is a strategic convener, in addressing workforce development issues, including but not limited to WIOA activities. The Local Board shall be led by committed business leaders who can ensure that the local workforce system is responsive to current and projected labor market demand, shall contain a broad range of partners needed to develop a comprehensive vision for the local workforce system, and shall focus on strategic decisions.

The Local Board has responsibility for making the following critical decisions:

- How best to organize the local area workforce system to most effectively serve the needs of current and emerging industries, local employers and job seekers;
- How best to provide comprehensive services to employers;
- How best to deploy available resources to achieve negotiated local performance
- accountability measures and build capacity for continuous improvement; and
- How to expand the resource base and service capability through the development of strategic partnerships, an integrated service delivery system, and generation of additional public and private funding.

5. Membership of the Local Board

As indicated below, WIOA provides minimum requirements as to what stakeholders are represented on local boards as well as minimum percentages of representation for two stakeholder categories: business and workforce.

- **A majority (at least 51%) of the members of the Local WDB must be representatives of business in the local area.** At a minimum, two members must represent small business as defined by the U.S. Small Business Administration. Business representatives serving on Local WDBs also may serve on the State WDB. Each business representative must meet the following criteria:
 - Be an owner, chief executive officer, chief operating officer, or other individual with optimum policy-making or hiring authority; and
 - Provide employment opportunities in in-demand industry sectors or occupations, as those terms are defined in WIOA sec. 3(23).
- **At least 20% of the members of the Local WDB must be workforce representatives.** These representatives:
 - Must include two or more representatives of labor organizations, where such organizations exist in the local area. Where labor organizations do not exist, representatives must be selected from other employee representatives;
 - Must include one or more representatives of a joint labor-management, or union affiliated, registered apprenticeship program within the area who must be a training director or a member of a labor organization. If no union affiliated registered apprenticeship programs exist in the area, a representative of a registered apprenticeship program with no union affiliation must be appointed, if one exists;
 - May include one or more representatives of community-based organizations that have demonstrated experience and expertise in addressing the employment, training or education needs of individuals with barriers to employment, including organizations that serve veterans or provide or support competitive integrated employment for individuals with disabilities; and
 - May include one or more representatives of organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of eligible youth, including representatives of organizations that serve out-of-school youth.

- **The Local WDB also must include:**
 - At least one eligible training provider administering adult education and literacy activities under WIOA title II;
 - At least one representative from an institution of higher education providing workforce investment activities, including community colleges; and
 - At least one representative from each of the following governmental and economic and community development entities:
 - Economic and community development entities;
 - The State Employment Service office under the Wagner-Peyser Act (29 U.S.C. 49 et seq.) serving the local area; and
 - The programs carried out under title I of the Rehabilitation Act of 1973, other than sec. 112 or part C of that title;
- **The membership of Local WDBs may include individuals or representatives of other appropriate entities in the local area, including:**
 - Entities administering education and training activities who represent local educational agencies or community-based organizations with demonstrated expertise in addressing the education or training needs for individuals with barriers to employment;
 - Governmental and economic and community development entities who represent transportation, housing, and public assistance programs;
 - Philanthropic organizations serving the local area; and
 - Other appropriate individuals as determined by the chief elected official.

Members must be individuals with optimum policy-making authority within the entities they represent.

Chief elected officials must establish a formal nomination and appointment process, consistent with the criteria established by the Governor and State WDB under sec. 107(b)(1) of WIOA for appointment of members of the Local WDBs, that ensures:

- Business representatives are appointed from among individuals who are nominated by local business organizations and business trade associations;
- Labor representatives are appointed from among individuals who are nominated by local labor federations (or, for a local area in which no employees are represented by such organizations, other representatives of employees); and
- When there is more than one local area provider of adult education and literacy activities under title II, or multiple institutions of higher education providing workforce investment activities as described in WIOA sec. 107(b)(2)(C)(i) or (ii), nominations are solicited from those particular entities.

An individual may be appointed as a representative of more than one entity if the individual meets all the criteria for representation, including the criteria described in paragraphs (c) through (g) of this section, for each entity.

All required WDB members must have voting privilege. The chief elected official may convey voting privileges to non-required members.

6. Appointment of Local Board(s)

The Chief Elected Officials (CEOs) in a local area are authorized to appoint the members of the local board for such area, in accordance with the State composition criteria established under Sec. 107(b). In a case in which a local area includes more than one unit of general local government, the CEOs of such units may execute an agreement that specifies the respective roles of the individual CEOs in the appointment of the members of the local board from the individuals nominated or recommended to be such members in accordance with the composition criteria established under Sec. 107(b) and in carrying out any responsibilities assigned to such officials. If, after a reasonable effort, the CEOs are unable to reach agreement as provided above, the Governor may appoint the members of the local board from individuals so nominated or recommended.

7. Certification of the Local Board(s)

The Governor shall, once every two years, certify one local board for each local area in the State. Such certification shall be based on the composition criteria established under Sec. 107(b) and, for a second or subsequent certification, the extent to which the local board has ensured that workforce investment activities carried out in the local area have enabled the local area to meet the local performance measures and achieve sustained fiscal integrity. [Sustained fiscal integrity means that the Secretary has not made a formal determination, during either of the last two (2) consecutive years preceding the determination of such integrity, that either the grant recipient or the administrative entity of the area misexpended funds under WIOA due to willful disregard of requirements, gross negligence, or failure to comply with accepted standards of administration.]

Failure of a local board to achieve certification shall result in appointment and certification of another local board for the local area pursuant to the process described in Sec. 107(c)(1) and Sec. 107(c)(2).

8. State Board to Act as Local Board

Notwithstanding the above; pursuant to waiver authority granted by the US Secretary of Labor in his letter dated September 30, 2019 and pending renewal through the waiver request submitted on June 29, 2020; the State Workforce Development Board shall act as the Local Workforce Development Board for the Greater Rhode Island region. Appointment of the State Workforce Development Board is addressed in [Chapter 42-102](#) of the Rhode Island General Laws. Consistent with the conditions of approval for the state waiver request, the State Board will ensure local stakeholder interests are represented and engaged by, among other actions, forming a subcommittee of the Governor's Workforce Board to reflect the geographic diversity of the Greater Rhode Island area.

9. Inquiries: Questions concerning this issuance may be directed by phone or by email at:

Governor's Workforce Board RI
Department of Labor and Training
1511 Pontiac Avenue, Building 72-3
Cranston, Rhode Island 02920
(401) 462-8860 Phone (401) 462-8865 Fax
www.dlt.ri.gov | www.gwb.ri.gov

WORKFORCE INNOVATION NOTICE: 01-04

TO: WORKFORCE DEVELOPMENT AREAS

FROM: Governor's Workforce Board

SUBJECT: Regional Planning Identification

DATE: Effective: June 25, 2020
Reauthorized: September 1, 2020

STATUS: ACTIVE



LOCAL POLICY REQUIREMENT: N/A

- 1. PURPOSE:** As directed by U.S. Department of Labor Training and Employment Guidance Letter 27-14, WIOA requires the Governor, in consultation with the State Board, to identify regions as required by WIOA Section 106.
- 2. REFERENCES:** WIOA Section 106(a); TEGL 27-14; TEN 21-16
- 3. REVISIONS:** This WIN 19-01 voids and replaces WIN 17-01, subject "Regional Identification"
- 4. BACKGROUND:** The Workforce Innovation and Opportunity Act (Pub. L. 113-128), contains a provision in Section 106(a) requiring a state to identify regions prior to the second full program year after the date of enactment in order to receive allotments under the WIOA Adult, Dislocated Worker and Youth programs. States shall identify regions after consultation with Chief Elected Officials and Local Workforce Development Boards and take into account the following factors:
 1. The extent to which regions are consistent with labor market areas in the state;
 2. The extent to which regions are consistent with regional economic development areas in the state; and
 3. An assurance that regions have available the federal and non-federal resources necessary to effectively administer activities under subtitle B and other applicable provisions of the WIOA, including whether the areas have the appropriate education and training providers, such as institutions of higher education and area career and technical education schools.

The WIOA defines three types of regions:

1. Regions that are comprised of one local area.
2. Regions are comprised of two or more local areas.
3. Regions that are interstate areas contained within two or more States.

Regions comprised of two or more local areas or are interstate in nature must conduct regional planning as defined in the WIOA.

Per [Training and Employment Notice 21-16](#), if a region, as designated by the State, includes only on local area, then a Regional Plan is not required. In this case, the Local Board must submit only a Local Plan to the Governor for approval.

5. Inquiries: Questions concerning this issuance may be directed by phone or by email at:

Governor's Workforce Board RI
Department of Labor and Training
1511 Pontiac Avenue, Building 72-3
Cranston, Rhode Island 02920
(401) 462-8860 Phone (401) 462-8865 Fax
www.dlt.ri.gov | www.gwb.ri.gov

6. Policy:

The Governor must develop a policy and process for identifying regions in consultation with the State Workforce Board and chief local elected officials. The policy must evaluate the local areas in the proposed region considering the following criteria:

- Share a single labor market
- Share a common economic development area
- Possess federal and nonfederal resources, including appropriate education and training institutions to administer activities under WIOA subtitle B.

The Governor may also consider the following factors.

- Population centers
- Commuting patterns
- Land ownership
- Industrial composition
- Location quotients
- Labor force conditions
- Geographic boundaries
- Additional factors as determined by the Secretary of Labor

Rhode Island has designated each local area (the Providence-Cranston LWDA and the Greater Rhode Island LWDA) a planning region. Accordingly, regional plan is not required, and Local Boards must submit only a Local Plan to the Governor for approval.

The Board may periodically revisit this policy and the designation of planning regions using the factors described above. Furthermore, the state may approach bordering states and local areas about the possibilities of regional planning in the future. The Governor shall have final authority over the identification of regions.

WORKFORCE INNOVATION NOTICE: 01-05

TO: WORKFORCE DEVELOPMENT AREAS

FROM: Governor's Workforce Board

SUBJECT: Record Retention

DATE: Effective: September 1, 2020

STATUS: Active



LOCAL POLICY REQUIREMENT: Local Board's must issue policy and guidance to comply with these requirements.

- 1. PURPOSE:** To provide guidance with the Workforce Innovation and Opportunity Act (WIOA) record retention requirements.
- 2. REFERENCES:** Workforce Innovation and Opportunity Act (P.L. 113-128); 2 CFR §200; 29 CFR §38.4; TEGL 39-11; 2 CFR Parts 200.333 – 200.337 2 CFR 200, Appendix II to Part 200
- 3. BACKGROUND:** The State Workforce Development must ensure that local workforce systems are knowledgeable of the requirements for retention of all records pertinent to all grants awarded, and contracts and agreements entered into with respect to services and activities performed under the Workforce Innovation and Opportunity Act (WIOA). This requirement applies to all federal funds issued under WIOA including financial, civil rights, statistical, property and participant records and supporting documentation of sub-grantees.
- 4. Inquiries:** Questions concerning this issuance may be directed by phone or by email at:

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5. Policy: Records must generally be retained for a period of 3 years. Specific requirements are described below. All sub-recipients of Federal grants must assure that local policies and procedures regarding the retention of pertinent records comply with the guidance provided, herein. Any provisions contained in any other applicable laws and regulations shall apply, even if they are not explicitly stated in this policy. Nothing in this policy shall be construed to contradict prevailing laws and requirements for records retention that may be more restrictive than the federal requirement.

Type of Record	Three-Year Retention Period Begins
All financial records, supporting documents, statistical records, and property records.	Date of submission of the final expenditure report or quarterly or annual financial report
All records of real property and/or equipment acquired with administered funds	Date of the item's disposition
All records pertinent to each grant agreement	Date of submission of the settlement or closeout reports
All records for program income transactions after the period of performance	End-date of the entity's fiscal year in which the program income is earned
Indirect cost rate proposals and cost allocation plans including indirect cost rate computations or proposals, cost allocation plans, and any similar accounting computations of the rate at which a particular group of costs is chargeable	Date of submission to state agency for negotiation or End-date of the entity's fiscal year (or other accounting period) covered by the proposal, plan, or other computation
All records pertinent to each participant's enrollment in programs funded under the agreement, including the dates of entry and termination in each activity	Last date of the participant's enrollment in the program
All records pertinent to applicants that have been determined eligible, but not served	Date of the eligibility determination
All pertinent records of each applicant who is determined ineligible	Date of the ineligibility/refusal determination; the records must indicate the reason for ineligibility/refusal
All records pertinent to complaints/grievances, appeals, and resolutions	Date the complaint/grievance is closed following final settlement of the case.

In any case where a litigation, claim, or audit is started before the expiration of the three-year period, the records must be retained until all litigation, claims, or audit findings involving the records have been resolved and final action taken. In these cases, a new three-year retention period will begin on the day the litigation, claim, or audit finding is deemed to be resolved.

In cases where the federal awarding agency (USDOL) requires an extended retention period, the State Board require an extended retention period of its grantees and/or subrecipients.

Costs related to records retention are allowable costs.

WORKFORCE INNOVATION NOTICE: 02-01

TO: WORKFORCE DEVELOPMENT AREAS

FROM: Governor's Workforce Board

SUBJECT: Establishment of One-Stop Delivery System

DATE: Effective: September 1, 2020

STATUS: Active



LOCAL POLICY REQUIREMENT: Local plans should include details of all comprehensive and affiliate one-stop career centers in local workforce development areas.

- 1. PURPOSE:** This policy defines and describes the requirements for comprehensive and affiliate onestop career centers in Rhode Island as authorized under the Workforce Innovation and Opportunity Act (WIOA).
- 2. REFERENCES:** Workforce Innovation and Opportunity Act Section 121(d)(2)(A); Training and Guidance Letter No. 19-14, Vision for the Workforce System and Initial; Implementation of the Workforce Innovation and Opportunity Act of 2014; United States Department of Labor, Workforce Innovation and Opportunity Act; Joint Rule for Unified and Combined State Plans, Performance Accountability, and the OneStop System Joint Provisions; Final Rule, 20CFR, Part 678, Subpart D, One-Stop Operators
- 3. BACKGROUND:** WIOA requires at least one comprehensive one-stop center in each local workforce development area in a state. A comprehensive one-stop center is a physical location where job seeker and employer customers can access the programs, services, and activities of all required one-stop partners. In addition, affiliate one-stop career centers may exist in local workforce development areas. Affiliate one-stop career centers have WIOA partner programs available at a smaller scale than comprehensive one-stop career centers. Local Workforce Development Boards are required to provide physical and/or programmatic access in their designated local workforce areas through this network of comprehensive and affiliate sites.
- 4. POLICY:** One-Stop centers in Rhode Island are collectively branded as NetworkRI centers. The mandatory partner programs involved in one-stop delivery in include the following:
 - a. Programs authorized under title I of WIOA, including Adults, Dislocated Workers, and Youth; Job Corps; YouthBuild; Native American programs; and Migrant and Seasonal Farmworker programs;
 - b. Wagner Peyser Employment Services;
 - c. Adult Education and Literacy activities authorized under title II of WIOA
 - d. Vocational Rehabilitation

- e. The Senior Community Service Employment Program (SCSEP)
- f. Carl D. Perkins career and technical education programs
- g. Trade Adjustment Assistance
- h. Jobs for Veterans State Grants authorized under chapter 41 of title 38
- i. Community Services Block Grant (CSBG) employment and training activities
- j. Department of Housing and Urban Development (HUD) employment and training
- k. Activities
- l. Programs authorized under state unemployment compensation laws
- m. Second Chance Act programs
- n. Temporary Assistance for Needy Families (TANF)

WIOA requires at least one comprehensive physical one-stop center in each local workforce development area. The comprehensive one-stop center must be physically and programmatically accessible to individuals with disabilities.

All local plans should include details of all comprehensive and affiliate one-stop career centers in local workforce development areas. Arrangements are further detailed in a local Memorandum of Understanding (MOU), including roles and responsibilities of partners and cost sharing arrangements, including the local infrastructure funding agreement. Local areas requiring technical assistance should submit an official request to the WIOA Title I Administrator outlining the issue, possible resolution or options, and a specific request for assistance.

5. Inquiries: Questions concerning this issuance may be directed by phone or by email at:

Governor's Workforce Board RI
Department of Labor and Training
1511 Pontiac Avenue, Building 72-3
Cranston, Rhode Island 02920
(401) 462-8860 Phone (401) 462-8865 Fax

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DLT.GWBINFO@DLT.RI.GOV

WORKFORCE INNOVATION NOTICE: 02-02

TO: WORKFORCE DEVELOPMENT AREAS

FROM: Governor's Workforce Board

SUBJECT: Competitive Selection of One-Stop Operators

DATE: Effective: September 1, 2020

STATUS: Active



LOCAL POLICY REQUIREMENT: Local boards must competitively solicit a One Stop Operator. If the process fails to identify a capable entity, the local board may request permission to serve as the operator from the Governor.

- 1. PURPOSE:** This policy provides the policy and procedures for competitive selection of one-stop operators under the Workforce Innovation and Opportunity Act (WIOA).
- 2. REFERENCES:** Workforce Innovation and Opportunity Act Section 121(d)(2)(A); Training and Guidance Letter No. 19-14, Vision for the Workforce System and Initial; Implementation of the Workforce Innovation and Opportunity Act of 2014; United States Department of Labor, Workforce Innovation and Opportunity Act; Joint Rule for Unified and Combined State Plans, Performance Accountability, and the OneStop System Joint Provisions; Final Rule, 20CFR, Part 678, Subpart D, One-Stop Operators
- 3. BACKGROUND:** The One-Stop Operator coordinates the service delivery of participating NetWorkRI service partners and service providers and other duties identified by Local Workforce Development Boards (WDBs) in each local area. The Workforce Innovation and Opportunity Act (WIOA) requires that Local WDBs use a competitive process for the selection of a One-Stop Operator. Competitive selection of One-Stop Operators is intended to improve the ability of Local WDBs to regularly examine performance and costs against original expectations.
- 4. POLICY:** Local Workforce Development Boards (WDBs) must select their One-Stop Operator through a competitive process at least once every four years (WIOA sec. 121(d)(2)(A)). The competitive process must comply with 2 CFR § 200, including the Department of Labor specific requirements at 2 CFR part 2900. As part of that competitive process, Local WDBs are required to clearly articulate the expected role(s) and responsibilities of the One-Stop Operator (20 CFR § 678.620(a)) and include the role(s) and responsibilities in the resulting contract.

In Rhode Island, Local WDBs can only serve as a One-Stop Operator through a sole source process with approval of the Chief Elected Official (CEO) and the Governor after the failure of the initial competitive process to result in an entity capable of carrying out the duties of

the One-Stop Operator. Eligible Entities One-Stop Operators may be a single public, private, or non-profit entity or consortium of entities. However, if a consortium of entities consists of WIOA partners, it must include a minimum of three of the required WIOA Center partners listed in WIOA sec. 121(b)(1). The types of entities eligible to be a One-Stop Operator include the following (WIOA sec. 121(d)(2)(B)):

- Government agencies or governmental units such as: local or county governments, school districts, state agencies, and federal WIOA partners;
- Employment Service state agencies under the Wagner-Peyser Act, as amended by title III of WIOA;
- Educational institutions, such as: institutions of higher education, nontraditional public secondary schools such as night schools, and area career and technical education schools (however, elementary and other secondary schools are not eligible to become a One-Stop Operator); Community-based organizations, nonprofit entities, or workforce intermediaries;
- Private for-profit entities;
- Other interested organizations that are capable of carrying out the duties of the One-Stop Operator as identified in Training and Employment Guidance Letter WIOA No. 15-16, Competitive
- Selection of One-Stop Operators; and
- Local WDBs, if approved by the CEO and the Governor as required in WIOA sec. 107(g)(2).

Per this policy, each Local WDB will implement a competitive process to select a One-Stop Operator for their Local Area.

As stated above, a Local WDB can serve as a One-Stop Operator, but they cannot participate in the initial competitive process. Local WDBs wanting to serve as One-Stop Operators must follow the process in Section 5. Local WDBs must ensure that, in carrying out WIOA programs and activities, One-Stop Operators adhere to the following (20 CFR § 678.600):

- Disclose any potential conflicts of interest arising from the relations of the One-Stop Operator with particular training service providers or other service providers in accordance with 2 CFR § 200.318.
- Do not establish practices that create disincentives to providing services to individuals with barriers to employment.
- Comply with federal regulations and procurement policies relating to the calculation and use of profits as outlined in 2 CFR § 200, including the Department of Labor specific requirements at 2 CFR part 2900.
- Adhere to any applicable firewalls or internal controls.

Local WDBs must retain extensive written documentation of the procurement process (20 CFR § 678.605(d) and 678.610(b)). Local WDBs must also make available to the public, through electronic means and open meetings, information regarding their selection of One-Stop Operators (WIOA sec. 107(e)).

5. Local Board as One Stop Operator: If the initial competitive process fails to result in an entity capable of carrying out the duties of the One-Stop Operator, a Local Workforce Development Board (WDB) may serve as a One-Stop Operator with approval of the CEO and the Governor. Local WDBs wanting to serve as One-Stop Operators must:

1. Submit email request to the email address under the Inquiries section of the Policy to begin the Governor's review and approval process.
2. Submit all materials related to the initial procurement process including an analysis of the failed One-Stop Operator procurement.
3. Submit sole source documentation regarding the Local WDB as One-Stop Operator.
4. Submit a letter indicating approval of the Local WDB as One-Stop Operator from the Local Area CEO.
5. Submit a description of how potential conflicts of interest will be addressed.

The Governor will make a determination within 30 days of the receipt of the materials described above. If approved, the Local WDB will become the One-Stop Operator immediately.

6. Inquiries: Questions concerning this issuance may be directed by phone or by email at:

Governor's Workforce Board RI
Department of Labor and Training
1511 Pontiac Avenue, Building 72-3
Cranston, Rhode Island 02920
(401) 462-8860 Phone (401) 462-8865 Fax

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WORKFORCE INNOVATION NOTICE: 02-03

TO: WORKFORCE DEVELOPMENT AREAS

FROM: Governor's Workforce Board

SUBJECT: Local Partner Memorandums of Understanding

DATE: Effective: September 1, 2020

STATUS: Active



LOCAL POLICY REQUIREMENT: Local boards must enter into an MOU with WIOA service partners.

- 1. PURPOSE:** The purpose of this policy is to detail the requirements for a local Memorandum of Understanding (MOU) under the Workforce Innovation and Opportunity Act (WIOA) and apply a consistent set of standards for MOU development.
- 2. REFERENCES:** Workforce Innovation and Opportunity Act (Pub. L. 113-128); Training and Employment Notice No. 05-14, Workforce Innovation and Opportunity Act; Announcement and Initial Informational Resources; Training and Guidance Letter No. 19-14, Vision for the Workforce System and Initial Implementation of the Workforce Innovation and Opportunity Act of 2014
- 3. BACKGROUND:** Under WIOA, the local Memorandum of Understanding (MOU) is the primary vehicle for the Local Board to implement an agreement among the one-stop partner programs regarding one-stop delivery of services in the local workforce development area. Within a local area, the Local Board may establish an “umbrella” agreement that creates a single MOU negotiated among all partners.
- 4. POLICY:** Local Partner MOUs, at a minimum, must cover the following details:
 - A description of services to be provided through the one-stop delivery system, including the manner in which the services will be coordinated and delivered through the system.
 - A plan on how the costs of the services and the operating costs of the system will be funded that incorporates shared delivery costs locally.
 - A specific provision outlining how one-stop infrastructure costs will be funded.
 - Locations and addresses of all comprehensive and affiliate/satellite one-stop centers in the local workforce development area and a list of which partners will have a physical presence at each location.
 - Methods for referring individuals between the one-stop operators and partners for appropriate services and activities.

- Methods to ensure that the needs of workers, youth, and individuals with barriers to employment, including individuals with disabilities, are addressed in providing access to services, including access to technology and materials that are available through the one-stop delivery system.
- The duration of the MOU and procedures for amending it.
- Assurances that each MOU will be reviewed, and if substantial changes have occurred, renewed, not less than once every 3-year period to ensure appropriate funding and delivery of services.

The Local Partner MOU may cover additional items at the Local Board's direction, and if agreed to by the partner programs.

Procedure: Local MOUs must reflect the State Board's priority for seamless delivery of high quality client-driven services. Further, local MOUs must address cost sharing and infrastructure costs in a fair and equitable manner consistent with all policies and procedures. The review of local MOUs will be conducted with an eye toward equitable cost sharing among partners, including a consistent approach to in-kind costs.

The Local Board must report to the State Board, the Governor, and the Department of Labor and Training when MOU negotiations with one-stop partners have reached an impasse.

The Local Board and partners must document the negotiations and efforts that have taken place in the MOU. The State Board, one-stop partner programs, and the Governor may consult with the appropriate Federal agencies to address impasse situations related to issues other than infrastructure funding after attempting to address the impasse. Impasses related to infrastructure cost funding must be resolved using the State infrastructure cost funding mechanism (See [WIN 18-02](#)).

The Local Board must report failure to execute an MOU with a required partner to the Governor, State Board, and the relevant state agency responsible for administering the program. Additionally, if the State cannot assist the Local Board in resolving the impasse, the Governor or the State Board must report the failure to the Secretary of Labor and to the head of any other Federal agency with responsibility for oversight of a partner's program.

5. Inquiries: Questions concerning this issuance may be directed by phone or by email at:

Governor's Workforce Board RI
Department of Labor and Training
1511 Pontiac Avenue, Building 72-3
Cranston, Rhode Island 02920
(401) 462-8860 Phone (401) 462-8865 Fax
www.dlt.ri.gov | www.qwb.ri.gov

WORKFORCE INNOVATION NOTICE: 02-04

TO: WORKFORCE DEVELOPMENT AREAS

FROM: Governor's Workforce Board

SUBJECT: State Mechanism for Funding One-Stop Career Center Infrastructure Costs

DATE: **Effective: October 1, 2017**
Reauthorized: September 1, 2020



STATUS: ACTIVE

LOCAL POLICY REQUIREMENT: Local boards must notify the state board if they are unable to come to an agreement with one or more partners on funding One Stop infrastructure.

- 1. PURPOSE:** To communicate guidance and parameters for implementation of the state infrastructure funding mechanism when required partners and the local workforce development boards (LWDB) cannot reach consensus on funding One Stop Career Center infrastructure costs through the local infrastructure funding mechanism.
- 2. REFERENCES:** Workforce Innovation and Opportunity Act, § 121, Public Law 113-128.; 20 C.F.R. §§ 678.700 thru 678.760.; 2 C.F.R. Parts 200 and 2900.
- 3. BACKGROUND:** Per section 121 (h) of the Workforce Innovation and Opportunity Act (WIOA), states are required to develop an infrastructure funding mechanism that will be implemented by the state to determine and collect each partner's proportionate share of funds for One Stop Career Center infrastructure costs when a LWDB and local partners in a local workforce development area cannot reach a consensus on infrastructure funding through the local infrastructure funding mechanism.

The state infrastructure funding mechanism must take into consideration the number of centers in the area, the population served, and services provided. It must take into account each local partner's costs for administration of the local workforce development system that are not for purposes related to One Stop Career Centers, as well as the statutory requirements for each partner program, all other legal requirements, and the ability of each partner program to fulfill those requirements.

- 4. INQUIRIES:** Questions concerning this issuance may be directed by phone or by email at:
Rhode Island Department of Labor and Training
Governor's Workforce Board RI
1511 Pontiac Avenue, Building 72-3
Cranston, Rhode Island 02920
(401) 462-8860 Phone (401) 462-8865 Fax
www.dlt.ri.gov | www.gwb.ri.gov

5. POLICY

A. State Infrastructure Funding Mechanism

If a local workforce development board (LWDB) is unable to come to agreement with one or more partner programs on a local infrastructure funding mechanism; notification must be given to the GWB by December 1, 2017. All documents utilized by the local area in the negotiations process, including any budgets or allocation methodologies that have been agreed upon, should be sent via email with the notice. In subsequent years in which agreements are renewed, notification must be given by April 15th.

The GWB will be statutorily compelled to impose the State infrastructure funding mechanism as prescribed by WIOA sec. 121(h) and the Final Rules in 20 CFR Part 678, and consistent with Training and Employment Guidance Letter (TEGL) 17-16, and any subsequent revisions thereafter.

After determining and collecting each partner's proportionate share of funds for One Stop Career Center infrastructure costs; this information will be transmitted to the LWDB, the CEO, and the one-stop Required Parties for the LWDA prior to the start of the program year, if feasible.

The State mechanism generally makes fewer funds available than a local agreement. The U.S. Department of Labor notes in its preamble to the WIOA Final Rules, "...while under the local-funding mechanism partner programs may contribute through any funds allowed by their authorizing statutes, under the State funding mechanism, infrastructure funds must come from administrative funds for the majority of partner programs."

B. Factors used in determining one-stop infrastructure budget

In determining allocations under the State infrastructure funding mechanism, the GWB is required to identify the factors, as well as each factor's corresponding weight, that the GWB will use in determining a one-stop center infrastructure budget. The GWB will utilize the following factors equally weighted:

Factor	Weight
the number of one-stop centers in a local area	33.3%
the total population served by such centers	33.4%
the services provided by such centers	33.3%

C. Maximum Potential Caps

Under a State Funding Mechanism, partner program's maximum contribution to infrastructure costs is limited to a specific percentage of the total Federal funding which that program receives for the affected program year. The applicable limiting percentage for each program is listed in WIOA sec. 121(h)(2)(d), 20 CFR 678.738(c), 34 CFR 361.738(c), and 34 CFR 463.738(c) and is as follows:

- For the WIOA youth, adult, or dislocated worker programs, no more than three percent (3%) of Federal funds provided to carry out the program.
- For the Wagner-Peyser Act, no more than three percent (3%).
- For vocational rehabilitation programs funded under the Rehabilitation Act, no more than three-quarter percent (0.75%) of Federal funds provided in State Fiscal Year (SFY) 2016; one percent (1.0%) in SFY 2017; one and one quarter percent (1.25%) in SFY 2018; and one and one half percent (1.5%) percent thereafter.
- For other required partners, no more than one half percent (1.5%) of Federal funds provided to carry out the education or employment and training program in the fiscal year.

The GWB must further select a determining factor or factors that reasonably indicates the use of one-stop centers in the State. This factor will be used to determine each local area's share of infrastructure funds made available through the State Infrastructure Funding Mechanism. This will be the percentage of Title I-B funding each local area receives during the program year during which infrastructure funding is being negotiated.

6. APPEALS

Partners may appeal the determination of state infrastructure funding contributions on the basis that such determination is inconsistent with this policy or with any part of section 121(h) of WIOA. The appeals process is as follows:

1. Within 21 calendar days from the date of receipt of the notice of state infrastructure funding determination, the partner(s) may file an appeal to the State in writing that clearly describes the reason(s) the partner is disputing the required contribution amount calculated under the state infrastructure funding mechanism.
2. The State will review the request for appeal.
3. The State will notify the partner of its actions in writing within 30 calendar days upon receipt of the appeal.

7. MONITORING Through the state's monitoring system, program monitors and auditors will review the area's MOU negotiation process during the annual onsite monitoring review for compliance with federal and state laws and regulations. Any issues will be handled through the state's monitoring resolution process.

8. EFFECTIVE DATE. These guidelines are effective immediately

WORKFORCE INVESTMENT NOTICE: 02-05

TO: WORKFORCE INVESTMENT AREAS

FROM: Governor's Workforce Board

SUBJECT: One Stop Certification Policy

DATE: Effective: November 16, 2017
Reauthorized: September 1, 2020



STATUS: ACTIVE

LOCAL POLICY REQUIREMENT: Local boards must develop certification standards for One Stop Centers in their area and certify the centers once every three years.

1. PURPOSE: The purpose of this policy is to provide guidance and a timeline regarding the certification of one-stop career centers and the one-stop delivery system that is to be conducted by local workforce development boards, and to set criteria for the development of a local policy for one-stop certification.

2. REFERENCES: Workforce Innovation and Opportunity Act (WIOA) Section 101(d)(6), 121(e), and 121(g); Training and Employment Guidance Letter (TEGL) 16-16

3. BACKGROUND: WIOA specifies in section 101(d)(6) and 121(g)(1) that the State Board must establish minimum criteria for certification of one-stop centers and the one-stop delivery system. Certification is required to be done by local boards at least once every three years in order for one-stop centers and the one-stop delivery system to receive infrastructure funding.

In October 2017, the Board issued interim guidance to the local boards regarding the one stop certification policy. This policy formalizes that guidance.

4. INQUIRIES: Questions concerning this issuance may be directed by phone or by email at:

Rhode Island Department of Labor and Training
Governor's Workforce Board RI
1511 Pontiac Avenue, Building 72-3
Cranston, Rhode Island 02920
(401) 462-8860 Phone (401) 462-8865 Fax
www.dlt.ri.gov | www.qwb.ri.gov

5. Local Board Requirements and Deadlines:

- A draft of the local area's process and evaluation instruments that will be used to certify one-stop centers must be submitted to the Governor's Workforce Board on or before December 31, 2017.
- Local boards must ensure local one-stop system service providers and partners have been made aware of the process and evaluation instruments that will be used to evaluate and certify one-stops, by or before January 31, 2018.
- All local area one-stops must be evaluated and certified by or before June 30, 2018 and must be evaluated at least once every three years thereafter.
- Documentation of certification of each one-stop must be provided to the Governor's Workforce Board on or before June 29, 2018.

6. Certification Criteria:

When certifying One Stop Centers in their Areas, Local Boards must utilize metrics that reflect the following criteria:

Effectiveness:

Metrics must indicate how well the one-stop center:

- ✓ Integrates available services for participants and businesses
- ✓ Prioritizes the diverse needs of participants and clients
- ✓ Meets the workforce development needs of participants
- ✓ Meets the employment needs of local employers,
- ✓ Operates in a cost-efficient manner,
- ✓ Coordinates services among the one-stop partner programs,
- ✓ Provides access to partner program services to the maximum extent practicable, including
 - When reasonable, providing services outside of regular business hours where there is a workforce need

Customer Satisfaction:

- ✓ Centers must have systems in place to capture and respond to specific customer feedback

Physical and Programmatic Accessibility:

- ✓ Centers must ensure equal opportunity for individuals with disabilities via complying with WIOA Sec. 188 and regulations, as well as applicable provisions of the Americans with Disabilities Act of 1990 including:
 - Reasonable accommodations
 - Reasonable modifications to policies, practices and procedures
 - Provide most integrated setting appropriate
 - Communicating effectively
 - Providing appropriate auxiliary aids and services
 - Providing for the physical accessibility of the center.

Continuous Improvement of One-Stop centers and One-Stop delivery system:

- ✓ Achievement of performance measures
- ✓ Identifying and responding to technical assistance needs
- ✓ Regular system of continuing professional staff development

